

REMARKS/ARGUMENTS

Upon entry of the above amendment, claims 27 and 29 will have been canceled, claims 24, 28 and 30-32 will have been amended, and claims 33 and 34 will be newly submitted for consideration by the Examiner. Thus, claims 24-26, 28, and 30-34 remain pending for consideration by the Examiner.

In view of the above, Applicants respectfully request reconsideration of the outstanding objections and rejections of all the claims pending in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

Initially, Applicants would like to express their appreciation to the Examiner for the detailed Official Action provided.

Turning to the merits of the action, the Examiner has objected to claims 28 and 31-32 as being dependent upon a rejected base claim. By the present amendment, Applicants have amended claims 28 and 31-32 to be rewritten in independent form including all of the limitations of the base claim and any intervening claims. Thus, Applicants respectfully submit that the Examiner withdraw the objection and indicate the allowability of these claims.

The Examiner has rejected claim 1 under U.S.C. § 112, the second paragraph, asserting that there is insufficient antecedent basis for a limitation in the claim. By the present amendment, Applicants have amended claim 24 to include sufficient antecedent basis for the limitation therein. Thus, Applicants respectfully submit that the Examiner withdraw the rejection.

The Examiner has rejected claims 24-27 and 29-30 under 35 U.S.C § 102(e) as being anticipated by SAITO et al. (U.S. Patent No. 6,618,749).

As noted above, Applicants have canceled claims 27 and 29, have amended claims 24, 28, and 30-32, and have submitted claims 33 and 34. Thus, claims 24-26, 28 and 30-34 remain pending for consideration. Applicants also note that claims 28 and 31-32 have been made allowable by the present amendment. Thus, Applicants respectfully traverse the above rejection based on pending claims 24-26, 30 and 33, and will discuss said rejection with respect to the pending claims in the present application as will be set forth hereinbelow.

Applicants' claims 24-26 and 33 relate to a server apparatus connected with a transmitting facsimile apparatus and with a receiving facsimile apparatus via the Internet. The server apparatus stores reception capabilities regarding a type of facsimile data that the receiving facsimile can receive. The reception capabilities are distinct from the facsimile data. The server apparatus receives the facsimile data from the transmitting facsimile apparatus, transforms the received facsimile data into a type of facsimile data that the receiving facsimile apparatus can receive, based on the stored reception capabilities of the receiving facsimile apparatus, and transmits the transformed facsimile data to the receiving facsimile apparatus. Claim 30 recites a related method.

In direct contrast, SAITO et al. relates to an Internet facsimile which determines whether a received e-mail is a failure mail or a delivery status notification mail. The Internet facsimile of SAITO et al. extracts, from the received e-mail, information necessary for output when the received e-mail is determined to be the failure mail or

P18051.A16

the delivery status notification mail, converts the extracted information into facsimile data, and edits the converted data. The edited data is transmitted to a G3 facsimile via PSTN.

However, SAITO et al. does not disclose at least a memory which stores reception capabilities regarding a type of facsimile data that the receiving facsimile apparatus can receive, the reception capabilities being distinct from the facsimile data. In this regard, SAITO et al. teaches that "format conversion section 37 converts the received data to facsimile data" and "here, the facsimile data refers to an image file that can be handled by a facsimile apparatus. It is an image compression file such as an MH file" (col. 4, lines 36-42). However, this recitation merely defines what "the facsimile data" means. Thus, SAITO et al. does not disclose a memory which stores reception capabilities regarding a type of facsimile data that the receiving facsimile apparatus can receive, the reception capabilities being distinct from the facsimile data.

In the above description, the receiving facsimile apparatus 16 of SAITO et al. is identified as a conventional G3 facsimile apparatus 16 (Fig.1). The conventional G3 facsimile apparatus 16 is not connected to IFAX 14 (which the Examiner considers to be the server which includes "memory 22 and 23") via the Internet as recited in claim 24, but via PSTN 15 (Fig.1). Thus, SAITO et al. does not disclose a server apparatus which is connected with a receiving facsimile apparatus via the Internet.

With respect to a memory, SAITO et al. discloses transmit data storage 38, delivery status notification message table 39, and document fixed message table 40.

Transmit data storage 38 stores a transmitted e-mail (col. 4, lines 48-49). The transmitted e-mail is transmitted from G3 IFAX 16 to IFAX 11 or PC 12. The transmitted

P18051.A16

data is utilized for determining whether a received e-mail is a failure mail (col. 5, lines 4-6). Thus, transmit data storage 38 does not store the reception capabilities regarding G3 facsimile 16. In other words, transmit data storage 38 does not store the reception capabilities regarding a type of facsimile data that the receiving facsimile apparatus can receive, the reception capabilities being distinct from the facsimile data, since transmit data storage 38 merely stores the transmitted data.

Delivery status notification message table 39 stores a message regarding the success/failure of delivery (col. 4, lines 51-56). The message regarding the success/failure of delivery is utilized for determining whether a received e-mail is a delivery status notification mail (col. 6, lines 26-30). In other words, IFAX 14 transmits an e-mail to IFAX 11 or PC 12, and IFAX 11 or PC 12 returns the delivery status notification mail to IFAX 14. IFAX 14 determines whether the received e-mail is the delivery status notification mail, using the message regarding the success/failure of delivery. Thus, delivery status notification message table 39 also does not store the reception capabilities regarding G3 facsimile 16. In other words, delivery status notification message table 39 does not store the reception capabilities regarding a type of facsimile data that the receiving facsimile apparatus can receive, the reception capabilities being distinct from the facsimile data.

Document fixed message table 40 stores document fixed messages (col. 4, lines 58-60). Document fixed messages are utilized for determining whether a received e-mail contains any document fixed message. When the received e-mail contains a document fixed message, SAITO et al. outputs only image information which is attached to the received e-mail without outputting the received e-mail (col. 7, lines 5-

P18051.A16

29). In other words, IFAX 14 receives an e-mail from IFAX 11 or PC 12 and determines whether the received e-mail contains a document fixed message. Thus, document fixed message table 40 does not store the reception capabilities regarding G3 facsimile 16. In other words, document fixed message table 40 does not store the reception capabilities regarding a type of facsimile data that the receiving facsimile apparatus can receive, the reception capabilities being distinct from the facsimile data.

Thus, the SAITO et al. reference does not disclose a memory which stores reception capabilities regarding a type of facsimile data that the receiving facsimile apparatus can receive, the reception capabilities being distinct from the facsimile data. At least, due to this deficiency SAITO et al. provides an inadequate basis for the rejection of any pending claims.

Further, SAITO et al. does not disclose a controller which transforms the received facsimile data into a type of facsimile data that the receiving facsimile apparatus can receive, based on the reception capabilities stored in the memory, since SAITO et al. does not store the reception capabilities, as explained above. Rather, SAITO et al. discloses specific information extraction section 35 which extracts error information (or information on the success/failure of delivery) and image information from the received e-mail. The extracted information is converted into facsimile data by format conversion section 37, and the converted facsimile data is edited into one page by data edit section 36 (col. 5, lines 30-39, col. 6, lines 31-38).

On the other hand, the present invention relates, *inter alia*, to a server apparatus which stores reception capabilities regarding a type of facsimile data that the receiving facsimile apparatus can receive, the reception capabilities being distinct from the

P18051.A16

facsimile data. Further, the server apparatus receives the facsimile data from the transmitting facsimile apparatus, transforms the received facsimile data into a type of facsimile data that the receiving facsimile apparatus can receive, based on the reception capabilities stored in the memory, and transmits the transformed facsimile data to the receiving facsimile apparatus.

Therefore, it is respectfully submitted that the features recited in Applicants' claims 24-27, 30, and 33 are not disclosed by SAITO et al. cited by the Examiner. Thus, the pending claims are clearly patentable over SAITO et al.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding objections and rejection, and an indication of the allowability of all the claims pending in the present application in due course.

SUMMARY AND CONCLUSION

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so. Applicants have amended claims for further consideration by the Examiner. With respect to the pending claims, Applicants have pointed out the features thereof and have contrasted the features of the pending claims with the disclosures of the cited references. Accordingly, Applicants have provided a clear evidentiary basis supporting the patentability of all claims in the present application and respectfully request an indication of the allowability of all the claims pending in the present application in due course.

The amendment to the claims which have been made in this amendment, which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Yoshihiro IDA et al.



Bruce H. Bernstein
Reg. No. 29,027

William Pieprz
Reg. No. 33,630

August 19, 2005
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191